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10 UNITED STATES DISTRICT COURT

11 DISTRICT OF NEVADA

12 KATHLEEN INGRAM,

13 Plaintiff,

14 v.

15 COMENITY BANK,

16 Defendants.

CASE NO. 2:16-cv-2807-APG-GWF

**STIPULATION AND ORDER TO  
 ARBITRATE AND TO DISMISS CASE  
 WITHOUT PREJUDICE**

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 18 Plaintiff Kathleen Ingram and Defendant Comenity Bank ("Comenity")  
 19 stipulate and agree as follows:

20 1. On December 6, 2016, Plaintiff filed her complaint. (ECF No. 1.)

21 2. The complaint asserts violations of the Telephone Consumer Protection  
 22 Act and the Nevada Deceptive Trade Practices Act based on alleged telephone calls  
 23 made to collect on unspecified accounts that Plaintiff had with Comenity.

24 3. For each of Plaintiff's accounts with Comenity, Plaintiff and Comenity  
 25 entered into a credit card agreement containing an arbitration clause.

26 4. Plaintiff's claims in this action are subject to these arbitration  
 27 provisions.

28 4. Accordingly, the Parties agree to voluntarily dismiss this matter

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without prejudice and permit Plaintiff to submit her claims to binding arbitration pursuant to the terms of the arbitration provisions of the parties' credit card agreements. *See* Fed. R. Civ. P. 41(a)(1)(A)(ii).

Dated: April 25, 2017.

Ballard Spahr LLP

Haines & Krieger, LLC

By: /s/ Lindsay Demaree

By: /s/ David Krieger

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**ORDER**

IT IS SO ORDERED:



UNITED STATES DISTRICT JUDGE

Dated: April 25, 2017.